

**Introduced by Senator Maldonado**April 16, 2009

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Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article IV thereof, relating to the Legislature.

## LEGISLATIVE COUNSEL'S DIGEST

SCA 20, as introduced, Maldonado. Legislature: public notice of bills.

Existing law provides that no bill other than the Budget Bill may be acted on until the 31st day after the bill is introduced unless this requirement may be dispensed with by a  $\frac{2}{3}$  rollcall vote of the house.

This measure would require a Budget Bill or a bill implementing a Budget Bill, as defined, to be displayed on the Internet in the form it is to be voted on for at least 48 hours before it may be voted on by either house of the Legislature, except that this requirement could be waived by a  $\frac{3}{4}$  rollcall vote of the house.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

- 1     *Resolved by the Senate, the Assembly concurring,* That the
- 2     Legislature of the State of California at its 2009–10 Regular
- 3     Session, commencing on the first day of December 2008,
- 4     two-thirds of the membership of each house concurring, hereby
- 5     proposes to the people of the State of California that the
- 6     Constitution of the State be amended as follows:
- 7     That Section 8 of Article IV thereof is amended to read:

1 SEC. 8. (a) At regular sessions no bill other than the budget  
2 bill may be heard or acted on by committee or either house until  
3 the 31st day after the bill is introduced unless the house dispenses  
4 with this requirement by rollcall vote entered in the journal, ~~three~~  
5 ~~fourths~~ *three-fourths* of the membership concurring.

6 (b) (1) The Legislature may make no law except by statute and  
7 may enact no statute except by bill. No bill may be passed unless  
8 it is read by title on ~~3~~ *three* days in each house except that the  
9 house may dispense with this requirement by rollcall vote entered  
10 in the journal, ~~two-thirds~~ *two-thirds* of the membership concurring.  
11 No bill may be passed until the bill with amendments has been  
12 printed and distributed to the members. No bill may be passed  
13 unless, by rollcall vote entered in the journal, a majority of the  
14 membership of each house concurs.

15 (2) *Neither house of the Legislature shall vote on a budget bill*  
16 *or a budget implementation bill until the bill is displayed, in the*  
17 *form it is to be voted upon, on the Internet for at least 48 hours*  
18 *prior to the vote, unless the house dispenses with this requirement*  
19 *by a rollcall vote entered in the journal, three-fourths of the*  
20 *membership concurring.*

21 (3) *For purposes of this section, a “budget bill” is a bill that*  
22 *makes appropriations for the support of the government of the*  
23 *State for an entire fiscal year, and a “budget implementation bill”*  
24 *is a bill enacted by a statute that is identified in the budget bill as*  
25 *containing only changes in law necessary to implement the budget*  
26 *bill.*

27 (c) (1) Except as provided in paragraphs (2) and (3) ~~of this~~  
28 ~~subdivision~~, a statute enacted at a regular session shall go into  
29 effect on January 1 next following a 90-day period from the date  
30 of enactment of the statute and a statute enacted at a special session  
31 shall go into effect on the 91st day after adjournment of the special  
32 session at which the bill was passed.

33 (2) A statute, other than a statute establishing or changing  
34 boundaries of any legislative, congressional, or other election  
35 district, enacted by a bill passed by the Legislature on or before  
36 the date the Legislature adjourns for a joint recess to reconvene in  
37 the second calendar year of the biennium of the legislative session,  
38 and in the possession of the Governor after that date, shall go into  
39 effect on January 1 next following the enactment date of the statute  
40 unless, before January 1, a copy of a referendum petition affecting

1 the statute is submitted to the Attorney General pursuant to  
2 subdivision (d) of Section 10 of Article II, in which event the  
3 statute shall go into effect on the 91st day after the enactment date  
4 unless the petition has been presented to the Secretary of State  
5 pursuant to subdivision (b) of Section 9 of Article II.

6 (3) Statutes calling elections, statutes providing for tax levies  
7 or appropriations for the usual current expenses of the State, and  
8 urgency statutes shall go into effect immediately upon their  
9 enactment.

10 (d) Urgency statutes are those necessary for immediate  
11 preservation of the public peace, health, or safety. A statement of  
12 facts constituting the necessity shall be set forth in one section of  
13 the bill. In each house the section and the bill shall be passed  
14 separately, each by rollcall vote entered in the journal, ~~two-thirds~~  
15 *two-thirds* of the membership concurring. An urgency statute may  
16 not create or abolish any office or change the salary, term, or duties  
17 of any office, or grant any franchise or special privilege, or create  
18 any vested right or interest.